

REMARKS

In the aforementioned amendment, claims 1-15 and 17-18 have been amended and claims 21-27 added. Now pending in the application are claims 1 – 27, of which claims 1, 14, 17 and 21 are independent. The following comments address all stated grounds of rejection. The Applicants respectfully urge the Examiner to pass the claims to allowance in view of the remarks set forth below.

Claim Amendments

Applicants have amended claims 1-15 and 17-18 to clarify the scope of the claimed invention. Applicants have further amended claim 14 to incorporate into the body of the claim the limitation that the network is provided in a *motor vehicle*. Applicants have added claims 21-27, which are directed to a system that includes a *handheld* remote controller for remotely locating and controlling devices through a network. Support for the new claims can be found in Fig. 3 and the corresponding descriptions in the specification. No new matter has been introduced.

Claim Rejections Under 35 U.S.C. §103

A. Rejections of Claims 1-13 and 17-18

Claims 1-13 and 17-18 are rejected under 35 U.S.C. §103(a) as being unpatentable over the U.S. Patent No. 6,466, 971 of Humpleman et al. (the '971 patent) in view of U.S. Patent No. 6,480,889 of Saito et al. (the '889 patent). Applicants respectfully submit that pending claims 1-13 and 17-18 are not obvious in light of the '971 and '889 patent.

Claim 1 recites enabling a remote control device to *dynamically locate and identify* at least one of the additional devices. Claim 1 also recites dynamically retrieving the codes of the identified device. Claim 1 further recites that the operations of the identified device are controlled using the dynamically retrieved command codes. Claim 17 is a medium claim that parallels claim 1.

The '971 patent relates to a method and system for command and control among a plurality of devices via a network. The '971 patent teaches that the first and second devices are connected to the network and the second device stores an application interface description data in a structured format for commanding and controlling the second device by other network devices. The '971 patent further teaches that the application interface description data is provided to the first device over the network and control and command data is sent from the first device to the second device over the network utilizing the application interface description data to control the operation of the second device.

The '889 patent relates to a scheme for managing nodes connected to a home network according to their physical location. The '889 patent teaches that a communication device constituting each node has a communication unit and a configuration information memory unit. The '889 patent teaches that the communication unit carries out communications through the network and the configuration information memory unit stores a configuration information regarding a configuration of the communication device.

Applicants respectfully submit that the '971 patent fails to teach or suggest enabling a remote control device to *dynamically locate and identify* at least one of the additional devices, as recited in claims 1 and 17. The '971 patent does not teach any remote control device that dynamically locates and identifies the devices coupled to a network. The '971 patent teaches that the first device is connected to the network and controls the second device through the network. The '971 patent does not teach that the first device dynamically locates and identifies the second device.

Applicants also submit that the '889 patent fails to teach or suggest the aforementioned limitations of claims 1 and 17. The '889 patent teaches that at column 3, lines 29-34, the other communication device is able to recognize a physical location at which each communication unit is located, through the configuration information memory unit such as a configuration memory. The '889 patent further teaches at column 9, lines 44-46 that a computer (PC 35 in the children's room) recognizes the locations of, and controls, the other devices on the network. Accordingly, the '889 patent teaches, at most, that the computer recognizes the location of the devices on the network using the configuration information stored in the configuration memory. In contrast, the claimed invention recites enabling a remote control device to *dynamically locate and identify* at least one of the additional devices, especially the devices newly coupled to the network. The '889 patent does not teach that the computer dynamically locates and identifies the devices on the network. In light of the aforementioned arguments, Applicants respectfully submit that the '971 and '889 patents fail to teach or suggest all of the claim limitations of claims 1 and 17.

Additionally, Applicants respectfully submit that there is no suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings to construct the claimed invention. The '971 patent relates to a method and system for a first device to control a second device via a network. On the other hand, the '889 patent relates to a scheme for managing the physical location information of the devices connected to a home network. The Examiner simply notes that it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of the '889 patent to the '971 patent so that users can recognize and control devices which the users want to use. Applicants submit that the mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the *desirability of the combination*. In re Mills, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990). The Examiner does not provides the desirability to provide the teachings of the '889 patent to the '971 patent. In light of the aforementioned argument, Applicants submit that the Examiner fails to establish a *Prima Facie* case of obviousness.

Additionally, Applicants respectfully submit that the '889 patent teaches away from the claimed invention. The claimed invention recites enabling a remote control device to *dynamically locate and identify* at least one of the additional devices. The '889 patent teaches that the computer recognizes the location of the devices on the network using the configuration information stored in the configuration memory. The '889 patent further teaches at column 9, lines 36-38 that it is customary to carry out the registration of

such information at a time of construction of the network. Thus, the '889 patent teaches away from the claimed invention that recites enabling a remote control device to *dynamically locate and identify*, for example, the devices newly coupled to the network. Applicants therefore submit that the combination of the '971 patent with the '889 patent that teaches away from the claimed invention is improper to reject the claimed invention.

In light of the aforementioned arguments, Applicants respectfully submit claims 1 and 17 are not obvious over the '971 and '889 patents. Claims 2-13 and 18, which depend on one of claims 1 and 17, are not rendered obvious in light of the '971 and '889 patents. Applicants therefore submit that claims 1-13 and 17-18 are in position for allowance.

B. Rejections of Claims 14-15 and 19

Claims 14-15 and 19 are rejected under 35 U.S.C. §103(a) as being unpatentable over the '971 patent in view of the '889 patent and further in view of U.S. Patent No. 6,542,076 of Joao (the '076 patent). Applicants respectfully submit that pending claims 14-15 and 19 are not obvious in light of the '971, '889 and '076 patents.

Claim 14 recites providing *the network within a motor vehicle*, the network having at least one additional device coupled thereto. Claim 14 also recites enabling at least one of the additional devices to be dynamically located and identified by the remote control device. Claim 14 further recites that the remote control device controls the operations of the identified device using command codes dynamically retrieved from the

identified device. Claim 19, which depends on claim 17, also recites that the network is provided within a motor vehicle.

In addition to the argument set forth above, Applicants respectfully submit that the '971, '889 and '076 patents fail to teach providing the network within a motor vehicle, the network having at least one additional device coupled thereto, as recited in claim 14. Based on the description set forth above, Applicants submit that the '971 and '889 patents fail to teach these limitations. Applicants also submit that the '076 patent fails to teach the limitations. The '076 patent teaches a first control device located at a vehicle for monitoring or detecting an event. The '076 patent also teaches a second control device located remote from the vehicle. The '076 patent further teaches that the first control device generates and/or transmits a first notification signal containing event information to the second control device which subsequently generates and/or transmits a second notification signal to a remote communication device for providing notification of the event occurrence. In the '076 patent, a network is provided between the first control device located at a vehicle and a second control device located remote from the vehicle. Thus, the '076 patent does not teach providing the network within a motor vehicle, the network having at least one additional device coupled thereto.

In light of the aforementioned arguments, Applicants respectfully submit that the '971, '889 and '076 patents fail to teach or suggest all of the claim limitations of claims 14 and 19. Claim 15, which depends on claims 14, is not rendered obvious in light of the '971, '889 and '076 patents. Applicants therefore submit that claims 14-15 and 19 are in position for allowance.

C. Rejection of Claim 16

Claim 16 is rejected under 35 U.S.C. §103(a) as being unpatentable over the '971 patent in view of the '889 patent and further in view of the '076 patent and U.S. Patent No. 6,304,895 of Schneider et al. (the '895 patent). Applicants respectfully submit that pending claim 16 is not obvious in light of the '971, '889, '076 and '895 patents.

Claim 16, which depends on claim 14, further recites that the remote control device contains a touch pad screen. Applicants respectfully submit that the '895 patent fails to teach providing the network within a motor vehicle, the network having at least one additional device coupled thereto, as recited in claim 14. The '895 patent teaches a method and system for remotely accessing and controlling at least one of a target switch and a target computer using a target controller. The '895 patent teaches that the video information captured by the target controller is analyzed and compressed in order to reduce network traffic between the target controller and a controlling computer. The '895 patent does not teach providing the network within a motor vehicle, the network having at least one additional device coupled thereto.

In light of the aforementioned arguments, Applicants respectfully submit that the '971, '889, '076 and '895 patents fail to teach or suggest all of the claim limitations of claim 14. Claim 16, which depends on claim 14, is not rendered obvious in light of the '971, '889, '076 and '895 patents. Applicants therefore submit that claim 16 is in position for allowance.

D. Rejections of Claim 20

Claim 20 is rejected under 35 U.S.C. §103(a) as being unpatentable over the '971 patent in view of the '889 patent and further in view of the '895 patent. Applicants respectfully submit that pending claim 20 is not obvious in light of the '971, '889 and '895 patents.

Claim 20, which depends on claim 17, further recites that the remote control device contains a touch pad screen. Based on the arguments set forth above, Applicants respectfully submit that the '971, '889 and '895 patents fail to teach or suggest all of the claim limitations of claim 17. Claim 20, which depends on claim 17, is not rendered obvious in light of the '971, '889 and '895 patents. Applicants therefore submit that claim 16 is in position for allowance.

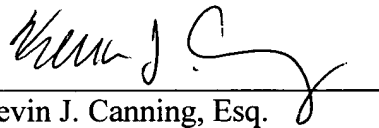
Conclusion

In light of the aforementioned arguments, Applicants contend that each of the Examiners rejections has been adequately addressed and the pending application is in condition for allowance.

Should the Examiner feel that a telephone conference with Applicants' attorney would expedite prosecution of this application, the Examiner is urged to contact the Applicants' attorney at (617) 227-7400.

Respectfully submitted,

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